

**Proposed Amendment to Provide Exemptions to Point Source Prohibitions  
for Low Threat Discharges  
CEQA Scoping Meeting**

**Summary of Public Comments**

**Introduction**

The North Coast Regional Water Quality Control Board (Regional Board) conducted a second Public Workshop and California Environmental Quality Act (CEQA) Scoping Meeting on a proposed Basin Plan amendment in Santa Rosa, on April 26, 2007. Additional comments from the first CEQA Scoping Meeting held in August 2005, are listed in a separate document entitled the "Summary of Public Comments". The comments received immediately prior to, during, and immediately following the April 26, 2007 meeting are summarized below. Additional comments will be summarized as they are received.

**Comments on Process**

*Agency Interaction*

- **State Agencies:**

The Recycled Water Task Force, created by AB331, identified a number of obstacles and recommended identifying a viable alternative to the current practice used, in some regions of prohibiting incidental runoff of recycled water.

Regional Water Boards 2 and 4 have recognized that low-threat discharges of recycled water pose little environmental and public health risk and have developed more workable permit provisions.

The State Water Resources Control Board issued a memorandum to all Regional Water Boards in 2004 on the subject of recycled water. The memo supported the use of recycled water and asked that the Regional Water Boards encourage the use of recycled water through their permitting processes.

- **State Legislature**

The legislature has passed a number of laws supporting water recycling and that the State's goal is to recycle 1 million acre feet per year by the year 2010. To meet this goal, the state must double the current amount of water being recycled and reused throughout the state.

## **Comments on Proposed Policy Framework**

### *Use and Definition of Terms*

- How will the term "incidental" be defined?
- Request to include a statement that the permitting of incidental runoff in accordance with the policy does not degrade the waters of the State and is consistent with Resolution 68-16.
- The Informational Document provides that low threat discharges and incidental runoff must meet all applicable water quality objectives. The minor amounts of water that would reach surface waters from these activities would not result in exceedance of any water quality objective. However, if the intent of these definitions is to say...that the discharges must meet CTR standards at the point that they leave a site, then the purposes of the Amendment will not be met. This is because it is highly possible that "low threat discharges" and "incidental runoff" might contain CTR or other regulated constituents that are not removed before discharge.
- Will language state "low threat" or "no threat"?

### *Implementation*

- How will incidents of runoff be regulated (i.e. reporting and monitoring)?
- How will the potential cumulative impacts of 'low threat discharges' be fully addressed?

## **Compliance with the California Toxics Rule (CTR):**

- What pesticides and fertilizers are likely to enter surface waters as a result of irrigation runoff?
- What is the potential for concentrated toxic accumulations under low flow conditions?
- The CTR would not apply to incidental runoff discharges, and the cumulative impact of many unknown contaminants would be far less capable of assimilation in summer when they would be made legal, than in winter when irrigation generally is not required.

## Comments on CEQA Analysis and Environmental Factors

### *Environmental Factors*

- Aesthetics: No comments received.
- Agricultural Resources: No comments received.
- Air Quality: No comments received.
- Biological Resources:
  - Water quality degradation from runoff will have severe impacts on our threatened fish species, not to mention the viability of the approximately 20,000 drinking and agricultural wells used by residents in these valleys.
- Cultural Resources: No comments received.
- Geology and Soils: No comments received.
- Hazards and Hazardous Materials: No comments received.
- Hydrology and Water Quality:
  - Address the issue of endocrine disruptors as related to runoff. Low doses can be potentially worse than high.
  - California's extensive collective experience with water recycling projects throughout the state provides reasonable assurances that all potential public health risks and impacts are less than minimal.
  - It is highly questionable whether the adoption of best management practices will effectively address the issue unless individual NPDES permits are issued and carefully monitored.
  - Recycled water projects that are local in nature minimize the need to pump imported water, and thus reduces the production of greenhouse gases.
  - Address the issue of pesticides and chemicals as well as wastewater.
  - Protect groundwater and surface water quality by not amending the Basin Plan to allow "incidental run-off" of recycled or tertiary treated wastewater.
  - Gravelly alluvial soils and shallow groundwater aquifers are present in the valleys. Allowance of runoff from broken sprinkler heads and pipes will lead to irreversible groundwater contamination.

**North Coast Region Water Quality Control Board**  
**Low Threat Discharges CEQA Scoping Meeting Summary of Public Comments**  
**May 15, 2007**

- Irrigation should not be allowed on sites where biosolids or chemicals are applied. Pesticides contain estrogenic properties that can cause neurological, developmental, reproductive and cancer-causing health problems for humans and wildlife.
  - Address the issue of cumulative impacts of numerous runoff events which can be devastating to the Laguna de Santa Rosa waterways and downstream recreational beneficial use.
  - The Laguna de Santa Rosa is listed as impaired for nitrogen, phosphorus, DO, temperature and sediment. Runoff will cause nutrient rich waters to enter the Laguna and further impair its water quality. This in turn exacerbates Ludwigia growth, the exotic plant wrecking havoc in the Laguna.
  - Concerned that the Amendment would effectively eliminate the prohibition on summer wastewater discharges, which has been in effect since the 1970's to protect the health of ecosystems as well as public health.
  - Proposed irrigation projects by the City of Santa Rosa and the Sonoma County Water Agency will likely add many increments of incidental runoff to the wastewater discharges that are already loading the Laguna de Santa Rosa with fertilizers and pesticides.
- Land Use and Planning: No comments received.
  - Mineral Resources: No comments received.
  - Noise: No comments received.
  - Population and Housing: No comments received.
  - Public Services:
  - Recreation:
    - Runoff of any kind should not be allowed in the summer time when the flows are especially low and there is great vulnerability to toxins during recreation.
  - Transportation/Traffic: No comments received.
  - Utilities and Service Systems:
    - No comments received.

**North Coast Region Water Quality Control Board**  
**Low Threat Discharges CEQA Scoping Meeting Summary of Public Comments**  
**May 15, 2007**

- Other:
  - Low levels of toxins that bioaccumulate can be very insidious.
  - Acknowledge the “net environmental benefits” to be achieved by maximizing the use of recycled water in California.
  - Reasonable use of reclaimed wastewater is not opposed.
  - Recycled water is not a “waste” but a valuable resource.
  - If an amendment addressing this issue is not adopted, increased demand on potable water would likely result in higher energy consumption.
  - If an amendment addressing this issue is not adopted, increased demand on potable water would likely result in higher energy consumption, the production of greenhouse gases and other related impacts.
  - At this time when the Regional Board is supporting the process of establishing TMDLs for the Laguna, it should not be looking to add many anonymous sources of nutrients and estrogenic chemicals.
  - Cumulative effects of many unregulated instances of runoff, especially during low and very low flows could be disastrous for the river. Lack of care around irrigation methods is extremely common.
  - Include the issue of discharges from PacifiCorp’s fish hatcheries with the proposed amendment.
  - An exemption may be necessary to address a discharge prohibition in the Basin Plan
  - There may be no other reasonable alternatives for addressing low threat discharges from hatcheries.
  - State Resource Policy requires operation of hatcheries to support and sustain the anadromous fish stocks.
  - The discharges from the hatchery at Iron Gate to not adversely effect water quality.

**North Coast Region Water Quality Control Board  
Low Threat Discharges CEQA Scoping Meeting Summary of Public Comments  
May 15, 2007**

*Alternatives*

- Regional Water Board staff must determine what environmental impacts would be associated with **not** adopting the proposed amendment.

**Contact Information**

For more information about the proposed amendment, or to submit comments, you can contact Lauren Clyde at LClyde@waterboards.ca.gov or 707-576-2674. Additional information can also be found on the Regional Board website at <http://www.waterboards.ca.gov/northcoast/programs/basinplan/>